

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

KELAANI AB DUS SAMIIA

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:09-cv-197-HSO-JMR

SHERIFF DAVID ALLISON

DEFENDANT

FINAL JUDGMENT

This matter is before the Court on submission of the Report and Recommendations of Chief United States Magistrate John M. Roper [36-1] entered in this cause on September 2, 2010. The Court, having adopted said Report and Recommendations as the findings of this Court by Order entered this date, finds that this matter should be dismissed. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that, because there is no genuine issue as to any material fact on Plaintiff's claims brought against him, Defendant is entitled to judgment as a matter of law pursuant to FED. R. CIV. P. 56. Defendant's Motion to Dismiss or, in the Alternative for Summary Judgment and for Qualified Immunity, filed May 21, 2010 [31-1], should be and hereby is **GRANTED**, and Plaintiff's claims against Defendant in his individual and official capacities are dismissed with prejudice.

SO ORDERED AND ADJUDGED, this the 20th day of October, 2010.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE